

# Commission Meeting

**2006-07-26 10:10:00.0**

or immediately after the 10:00 a.m. BATA meeting whichever occurs later

*This agenda was updated 2006-07-20 15:06:36.0. It is accurate to the best of our knowledge at that time.*

For assistance, please contact Rosy Leyva, [rleyva@mtc.ca.gov](mailto:rleyva@mtc.ca.gov), 510.817.5775

*This meeting will be [audiocast](#) on the MTC Web site during the meeting, and an [audio file](#) will be available for approximately one month after the meeting date.*

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## Roll Call

1.

**Action:** Confirm Quorum\*\*\*

### Chair's Report - Rubin

2.

**Action:** Information

### Commissioner Comments

3.

**Action:** Information

### Executive Director's Report - Heminger

4.

**Action:** Information

### Consent Calendar

5.

**Action:** Approval

## Commission Meeting Minutes - June 28, 2006

- [5 COMMISSION MEETING-June-MIN.doc](#)

## Programming and Allocations Committee

Resolution Nos. 3652, Revised, 3660, Revised, 3664 Revised, 3666, Revised and 3770  
? Regional Measure 2 (RM2) Proposed Capital and Operating Allocations of RM2  
funds totaling approximately \$16 million in capital funds and \$3 million in  
operating funds.\*

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- [tmp-3652.doc](#)

- [tmp-3652 Attachment ABCD.xls](#)

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- [tmp-3660.doc](#)
  - [tmp-3660 Attachment ABCD.xls](#)
  - [tmp-3664.doc](#)
  - [tmp-3664 Attachment ABCD.xls](#)
  - [tmp-3666.doc](#)
  - [tmp-3666 Attachment ABCD.xls](#)
  - [tmp-3770.doc](#)
  - [tmp-3770 Attachment A&C.xls](#)

**Resolution Nos. 3700, Revised and 3701, Revised ? FY 2005-06 Year-End Transportation Development Act and State Transit Assistance Allocations.\***

- [tmp-3700.doc](#)
- ? • [tmp-3700.xls](#)
- [tmp-3701.doc](#)
- [tmp-3701 - Year End Clean Up.xls](#)

**Resolution Nos. 3742, Revised and 3768 ? Program and Allocate FY 2006-07 AB 664 funds.\***

- [tmp-3742.doc](#)
- ? • [tmp-3742.xls](#)
- [tmp-3768.doc](#)
- [tmp-3768.xls](#)

**Resolution Nos. 3771, 3761, Revised ? Adoption of the Funding Plan for the Connectivity Projects and Revision to the MTC Regional Discretionary Program to include funding for connectivity projects and additional free transit days.\***

- ? • [tmp-3761.doc](#)
- [tmp-3771.doc](#)

**Draft MTC Standing Committee Minutes**

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*Draft Committee minutes are not presented for discussion; they are provided as background information for items that will be taken up by the full Commission. The respective committees at their next regular meeting will approve the minutes.*

**Administration Committee Meeting Draft Minutes ? July 12, 2006.\***

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- [2a Minutes July 06 on letterhead.doc](#)

**Programming & Allocations Committee Meeting Draft Minutes ? July 12, 2006.\***

?

- [Jul06-Mins.doc](#)

**Planning Committee Meeting Draft Minutes ? July 14, 2006.\***

?

- [minutes.doc](#)

**Legislation Committee Meeting Draft Minutes ? July 14, 2006.\***

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- [2 MinutesJul.doc](#)

**? Operations Committee Meeting Draft Minutes ? July 14, 2006.**

**Draft MTC Advisory Committee Minutes**

*Draft Advisory Committee minutes are presented for Commission information only.*

**Elderly and Disabled Advisory Committee Meeting Draft Minutes ? July 6, 2006.\***

?

- [3 JulyEDACMinutes.doc](#)

**Minority Citizens Advisory Committee Minutes ? July 11, 2006.\***

?

- [July 11 06 Minutes.doc](#)

**? Advisory Council Meeting Draft Minutes ? July 12, 2006.**

**Committee Reports**

**6. Administration Committee ? Dodd**

**Resolution Nos. 3705, Revised and 3762 Revised ? Free Transit on Spare the Air Days FY 2005-06 and FY 2006-07 Budget Revisions.\***

*The Administration Committee approved the addition of three more Spare the Air Days for the current season. Subsequent to the Committee meeting, staff has determined that all technical budgetary changes necessary to address this addition are to be made in*

- a) *Fiscal Year 2006-07, Resolution No. 3762, Revised. Therefore, we will be requesting that the full Commission not take action on Resolution No. 3705, Revised ? FY 2005-06 budget.*

**Action:** Approval

- [5 FY05-06 Amended Agency budget Mayhew.xls](#)

- 
- [FY06\\_07\\_Agency\\_Budget\\_Revised.xls](#)
  - [tmp-3705.doc](#)
  - [tmp-3762.doc](#)

**Resolution No. 3772 ? PERS Resolution of Intention to Amend MTC?s Contract to Implement 2.5% Full Formula Retirement Benefit.\***

*This revised PERS retirement benefit was approved by the Commission in June as part of Resolutions 3763 and 3764, which set forth MTC?s new five-year memoranda of understanding pertaining to employee salaries and benefits, with its represented and management employees. PERS requires approval of this Resolution of Intention as the initial step in amending MTC?s PERS contract. Upon the Commission?s approval of this*

- b)** *Resolution of Intention and subsequent approval of the contract amendments by MTC staff through a secret election, staff will return to the Commission in September for approval of ancillary resolutions required by PERS for the adoption of this benefit*

**Action:** Approval

- [Resolution\\_3772.doc](#)
- [Resolution\\_3772\\_Cover\\_Memo.doc](#)

**7. Programming Committee ? Haggerty**

**Resolution No. 3727, Revised ? FY 2006-07 Fund Estimate Revision.\***

*The 2006-07 Fund Estimate is being revised to reflect year-end revenue receipts for FY 2005-06 Transportation Development Act (TDA), Assembly Bill (AB) 107, and State Transit Assistance (STA) funds, as well as the significant augmentation of STA revenues for FY 2006-07 as a result of the state budget enactment.*

**a)**

**Action:** Approval

- [tmp-3727.doc](#)
- [tmp-3727\\_Revised.xls](#)

**Resolution Nos. 3750, Revised, 3751, Revised and 3752, Revised -**

*This is a continuation of the FY 2006-07 annual allocation of TDA, STA and AB 1107 funds. Consistent with the requisite findings, the Committee recommends approval of*

- b)** *the following allocations: \$128 million in TDA funds, \$53 million in STA funds and \$32 million AB 1107 funds. Per the agreement between BART and MTC for the repayment of the \$60 million loan (Resolution No. 3767), \$10 million of BART?s STA funds are allocated to make an advance principal payment on the loan.*

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**Action:** Approval

- [tmp-3750.doc](#)
- [tmp-3750.xls](#)
- [tmp-3751.doc](#)
- [tmp-3751.xls](#)
- [tmp-3752.doc](#)
- [tmp-3752.xls](#)

**Resolution No. 3755 ? Approval of the 2007 Transportation Improvement Program (TIP).\***

*The federally required TIP is a comprehensive listing of all Bay Area transportation projects that receive federal funds or that are subject to federally required action.*

**Action:** Approval

- [tmp-3755.doc](#)

**Resolution No. 3756? Approval of the Air Quality Conformity Analysis for the 2007 TIP.\***

*MTC is required to make an air quality conformity determination for the TIP in accordance with EPA?s transportation conformity regulations and MTC?s Bay Area Air Quality Conformity Procedures.*

d)

**Action:** Approval

- [tmp-3756.doc](#)

**Resolution No. 3769 ? Approval of the Bay Area Infrastructure Financing Authority, Joint Powers Authority between MTC and BATA.\***

*The Commission will be requested to approve the establishment of a joint powers authority between BATA and MTC for the financing of the state contribution to the toll bridge seismic retrofit program and other potential transportation improvement projects.*

e)

**Action:** Approval

- [tmp-3769.doc](#)

**8. Planning Committee - Spering**

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**San Francisco Bay Area State Implementation Plan:**

a)

**Action:** Approval

**Resolution No. 3757 ? Proposed Final Bay Area Air Quality Conformity Protocol.\***

? **Action:** Approval

• [tmp-3757.doc](#)

**Resolution No. 3758 ? Proposed Final Transportation Control Measures (TCM) Substitution Procedures.\***

? **Action:** Approval

• [tmp-3758.doc](#)

The Committee recommends approval of updates to the region's conformity protocol and MTC's TCM substitution procedures. The conformity protocol update and the new TCM substitution procedures are a result of changes in SAFETEA.

**9. Legislation Committee ? Beall**

**Transportation-related Propositions on the November 7, 2006 General Election**

**Ballot.\***

a)

• [LCrecommends.doc](#)

**Proposition 1A: Transportation Investment Fund (Proposition 42 Fix)(Support).**

?

**Action:** Approval

**Proposition 1B: Highway Safety. Traffic Reduction, Air Quality, Port Security**

? **Bond Act of 2006 - \$19.9 billion (Support).**

**Action:** Approval

**Proposition 1C: Housing and Emergency Shelter Trust Fund Act of 2006 - \$2.8 billion.**

? **(Support)**

**Action:** Approval

**Public Comment**

**10.**

**Action:** Information

**Closed Session - Conference With Counsel**

- 11.** *The Commission will meet in closed session, as authorized pursuant to Government Code Section 54956.9(a) to confer with counsel regarding the following litigation: MTC v. Motorola, Inc., U.S. District Court, Northern District, Case No. C 06-2302 (MMC)*

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## Open Session

12.

Action: Approval

**Resolution No. 3773 ? Resolution of Appreciation for Department of Transportation  
? Secretary Norm Mineta Upon his Retirement.**

Action: Approval

## 13 Adjournment

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### Next meeting

2006-09-27 10:00:00.0

Joseph P. Bort MetroCenter Lawrence D. Dahms Auditorium 101 Eighth StreetOakland,  
California

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\* Attachment to Commission members and other officials. (Copies available at meeting).

\*\* All items on the agenda are subject to action and/or change by the Commission.

\*\*\* A quorum of this commission shall be a majority of its regular non-ex-officio voting  
members (9).

Public Comment: The public is encouraged to comment on agenda items at committee meetings  
by completing a request-to-speak card (available from staff) and passing it to the committee  
secretary or chairperson. Public comment may be limited by any of the procedures set forth in  
Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's  
judgment, it is necessary to maintain the orderly flow of business.

Record of Meeting: MTC meetings are tape-recorded. Copies of recordings are available at a  
nominal charge, or recordings may be listened to at MTC offices by appointment. Audio casts  
are maintained on MTC's Web site for public review for at least one month.

Sign Language Interpreter or Reader: If requested three (3) working days in advance, sign  
language interpreter or reader will be provided; for information on getting written materials in  
alternate formats call 510/817-5757.

Transit Access to the MetroCenter: BART to Lake Merritt Station. AC Transit buses: #11 from  
Piedmont or Montclair; #59 or #59A from Montclair; #62 from East or West Oakland; #88 from  
Berkeley. For transit information from other Bay Area destinations, call 511 or use the  
TakeTransitSM Trip Planner at [www.511.org](http://www.511.org) to plan your trip.

Parking at the MetroCenter: Metered parking is available on the street. No public parking is  
provided at the MetroCenter. Spaces reserved for Commissioners are for the use of their  
stickered vehicles only; all other vehicles will be towed away.